

DEPOSITION OF ROGER JENKINS

August 7, 2017

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KELL BRUNARSKI and YVETTE HARMAN,)
)
 Plaintiffs,)
)
 vs.) CASE NO.
) 1:16-CV-0311
 MIAMI UNIVERSITY,)
)
 Defendant.)

APPEARANCES:

FOR THE PLAINTIFFS:

ROBERT F. CROSKERY, ESQ.
Croskery Law Offices
810 Sycamore Street, 2nd Floor
Cincinnati, Ohio 45202

FOR THE DEFENDANT:

CHRISTINA L. CORL, ESQ.
Plunkett Cooney
300 East Broad Street, Suite 590
Columbus, Ohio 43215

ALSO PRESENT:

Kelly Brunarski and Yvette Harman
(Participating Telephonically)

1 S T I P U L A T I O N S

2 The deposition of ROGER JENKINS, called as a
3 witness at the instance of the Plaintiffs, taken
4 pursuant to all rules applicable to the Federal Rules
5 of Civil Procedure by notice on the 7th day of August,
6 2017, at 8:12 a.m., at the residence of Roger Jenkins,
7 3933 Topside Road, Knoxville, Tennessee, before Rhonda
8 S. Sansom, RPR, CRR, CRC, Licensed Court Reporter,
9 pursuant to stipulation of counsel.

10 It being agreed that Rhonda S. Sansom, RPR,
11 CRR, CRC, Licensed Court Reporter, may report the
12 deposition in machine shorthand, afterwards reducing
13 the same to typewriting.

14 All objections except as to the form of the
15 questions are reserved to on or before the hearing.

16 It being further agreed that all formalities
17 as to notice, caption, certificate, transmission, et
18 cetera, excluding the reading of the completed
19 deposition by the witness and the signature of the
20 witness, are expressly waived.

21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

E X A M I N A T I O N S

ROGER JENKINS

Page

Examination by Mr. Croskery

4

E X H I B I T S

(No Exhibits Were Marked)

Roger Jenkins (8/7/17)

Page 4

1 ROGER JENKINS,
2 having first been duly sworn, was examined and deposed
3 as follows:

4 EXAMINATION

5 BY MR. CROSKERY:

6 Q. Good morning, Mr. Jenkins. Is it
7 Dr. Jenkins?

8 A. It is, yes.

9 Q. All right. Dr. Jenkins, we haven't met
10 before. My name is Robert Croskery, and I represent
11 the plaintiffs Brunarski and Harmon in a suit filed
12 against Miami University.

13 Before we get started, have you had your
14 deposition taken before?

15 A. I don't think I've ever had a deposition
16 taken, no.

17 Q. It's a fairly simple process. Rhonda, on
18 your right, is going to be taking down everything that
19 we say, both questions and answers. And so for that
20 reason, since she's producing a written transcript that
21 looks a little bit like a play, if we'd follow a few
22 rules it'd make it easier.

23 First of all, if you don't understand one
24 of my questions, let me know and I'll be happy to
25 rephrase it for you. Can you do that for me?

Roger Jenkins (8/7/17)

Page 5

1 A. Yes.

2 Q. Okay. Also answer out loud, instead of
3 shaking or nodding your head.

4 A. Yes.

5 Q. If you answer "Yes" or "No" instead of
6 "Uh-huh" or "Huh-uh," we'll get a clearer transcript.

7 A. Yes.

8 Q. Are you under any medication today that
9 would interfere with you giving truthful and accurate
10 testimony?

11 A. No.

12 Q. Do you know of any other reason why you
13 could not give truthful and accurate testimony today?

14 A. No.

15 Q. Are you familiar with the lawsuit that's
16 been filed by professors Harman and Brunarski?

17 A. I am not.

18 Q. Have you done anything to prepare for
19 this deposition?

20 A. I have not.

21 Q. All right. Well, it should be fairly
22 simple.

23 This lawsuit, in general, concerns an
24 allegation that my clients were paid less than other
25 similarly situated professors at Miami University, so

Roger Jenkins (8/7/17)

Page 6

1 the questions I'm going to be asking you primarily will
2 concern a period of time back in 2011 to 2012.

3 I understand you were leaving the
4 university about that time; is that right?

5 A. I think 2013, if I recall, was when I
6 retired.

7 Q. All right. So did you have involvement
8 then in setting salaries for the 2012-2013 school year?

9 A. I would expect that I did, yes.

10 Q. What was your position in 2012 and 2013
11 at Miami University?

12 A. Dean of the business school.

13 Q. And how long had you held that position?

14 A. Thirteen years.

15 Q. Can you tell me in general what the
16 duties of the dean were in regard to setting salaries
17 of professors in the business school?

18 A. The -- the process went as follows. The
19 department head in a given department would receive an
20 amount of money for his or her faculty. Based upon
21 their deliberations on how that money was to be given,
22 merit and so forth, they would make recommendations.

23 And each department head would sit down
24 with the associate dean for academic affairs, my senior
25 associate dean, and they would go over those

Roger Jenkins (8/7/17)

Page 7

1 recommendations with him. He would ask the appropriate
2 questions, and he would try to feel comfortable and be
3 in agreement with the recommendations.

4 And then he would sit down with me and
5 say, "Here" -- for a given faculty, out of 120
6 faculty -- "Here is the recommendation of the
7 department head. Here is my recommendation. Here's
8 why we are proposing these numbers. And I'd like for
9 you to ask any questions to make sure that we're
10 doing -- haven't missed anything."

11 And so that's how the process worked.

12 Q. I appreciate that.

13 And can you tell me what factors were
14 supposed to be weighed by those who were making the
15 determination about salaries?

16 A. Performance was always the key variable
17 in making faculty salary decisions. Performance.

18 Performance, along different dimensions.
19 The two most important performance dimensions were
20 teaching quality and effectiveness and research
21 scholarship. Those were the two big ones.

22 Other ones would include contributions to
23 the business school; contributions to a larger, you know,
24 area of interest that the person had with regard to
25 offices and positions in national and international

Roger Jenkins (8/7/17)

Page 8

1 organizations to promote different kinds of things.

2 But by far, the two dimensions that were
3 weighted most heavily were teaching performance and
4 research and scholarship.

5 Q. All right. I think you mentioned,
6 doctor, teaching quality and effectiveness. And can
7 you give me a feel for generally how those were
8 measured?

9 A. Teaching quality at Miami, as you would
10 know, as it is a university ranked in the top three
11 nationally in terms of teaching quality. You know,
12 when you're hired at Miami you're normally hired
13 because you're a very effective teacher. That's a huge
14 part of the hiring requirement.

15 How is teaching effectiveness, how was it
16 evaluated during my tenure? By various methods. One was
17 certainly teaching awards, whether it be a teaching award
18 given as the best teacher in the business school, a
19 teaching award at the university level.

20 So teaching awards and peer evaluation of
21 teaching effectiveness in that respect was always very,
22 very important.

23 If a -- if a professor was asked to teach
24 internationally or to teach in various programs that were
25 showcasing the business school, whether it be to incoming

Roger Jenkins (8/7/17)

Page 9

1 parents or incoming students who were visiting Miami,
2 those were always important evaluators of teaching
3 performance.

4 Obviously, every university uses teaching
5 evaluations. Miami has used those, the business school
6 used those. Those were a criteria; I don't think one --
7 from my recall, I don't believe one was ever, ever
8 weighted very heavily.

9 Q. Who chose how to weight the factors? Was
10 that done by a standard operating procedure?

11 A. No, no, it was done by each department
12 chair, each associate. Each person had their own way.
13 There were no standards which said "You will evaluate
14 teacher performance by points in this way." There was
15 no such procedure.

16 Q. What type of student teaching evaluations
17 were available for use? Were they online or were they
18 written by the students at that time?

19 A. You know, I don't recall. I suspect that
20 they were -- at one time, when I first came, I know
21 they were passed -- the professor would pass them out
22 at the end of each term as a written evaluation, and
23 they would fill them out and leave them as they left.

24 Now, I'm not sure over a 13-year period
25 if at the end they were all done online. It could, I

Roger Jenkins (8/7/17)

Page 10

1 don't remember. It could be the students all brought a
2 computer to class and they all filled it out in class.
3 I don't recall what was happening online at the time.

4 Q. All right. Now, you mentioned I believe
5 earlier that all the teachers that were hired at Miami
6 were very effective. That was one of the criteria that
7 you looked for in just hiring new faculty; is that
8 right?

9 A. Well, yeah. From the time that I arrived
10 at Miami until the time I left, hiring the right
11 faculty was a huge part of my philosophy, huge part.
12 So, yeah, since I made the final decision on hires --
13 anyone that was hired, you know, during my tenure -- I
14 felt very good about their -- their teaching
15 effectiveness and the quality of their teaching.

16 Q. Is it fair to say, then, that all the
17 tenured professors that you had were highly effective
18 teachers?

19 A. No, not at all. No.

20 Q. Some were not effective?

21 A. Half of the faculty, when I got there,
22 were -- were hired before me.

23 Q. All right. When did you get there?

24 A. In 2013. Probably 2001 or '02. Sometime
25 like that.

Roger Jenkins (8/7/17)

Page 11

1 Q. So certainly the hires that were made
2 since 2001 or 2002 were all very effective teachers
3 because you were overseeing their hiring?

4 A. That was an important criteria that I
5 set, yeah.

6 Q. Is it fair to say that of the teachers
7 that you hired during the time that you were there,
8 oversaw the hiring of, that there wasn't a lot of
9 differentiation in teaching ability?

10 A. No, I wouldn't. That's not fair at all.

11 Q. Okay. So there was a wide variety of
12 teaching ability?

13 A. There always is.

14 Q. Okay. And in evaluating that, the
15 factors that were used were teaching awards I think is
16 one that you mentioned.

17 A. Yes, teaching awards. Opportunities to
18 teach internationally in special programs.
19 Opportunities to showcase teaching talent to audiences
20 that were very important to showcase Miami's teaching
21 quality.

22 Q. So did the teaching awards carry their
23 own financial stipend?

24 A. I don't recall. But most of them carried
25 a stipend of \$1,000 or \$2,000, as I recall.

Roger Jenkins (8/7/17)

Page 12

1 Q. And how did a teacher get an award? Was
2 that something that was voted on by other faculty
3 members or was it something that was awarded by
4 students? Did it vary?

5 A. It varied from school, from business
6 school to how a different school would handle it. At
7 the Miami level, if they were doing a Miami-level
8 award, that would vary in terms of how it was decided.

9 But in the business school, there was a
10 faculty committee that was in charge of awards. And
11 they would set the criteria, they would ask for
12 nominations, they would -- they would interview. You
13 know, they had their own process of coming up with the
14 recipient.

15 Q. So that was true in the Finance
16 Department, as well?

17 A. Well, there wasn't -- each department
18 didn't have an outstanding teacher award. There was
19 only a business school-wide outstanding teacher award.

20 Q. I see.

21 A. There was usually one at the senior
22 level, at the junior level.

23 Q. And what was the senior level considered
24 to be? Is that tenured?

25 A. Tenured, associate, or full.

Roger Jenkins (8/7/17)

Page 13

1 Q. So how did this Finance Department -- I'm
2 sorry. How did the business school faculty that was in
3 charge of doing these awards come up with what awards
4 they gave?

5 A. Ask your question again.

6 Q. I'm concerned with -- you mentioned that
7 the awards were an important part, oftentimes --

8 A. Uh-huh.

9 Q. -- of setting salaries.

10 A. Uh-huh.

11 Q. So I was curious as to this faculty
12 committee you were talking about --

13 A. Uh-huh.

14 Q. -- from the school of business that set
15 up awards.

16 A. Uh-huh.

17 Q. Did you ever sit in on those discussions?

18 A. I never did, no.

19 Q. Do you know what criteria they used?

20 A. I do not know.

21 Q. Okay.

22 A. Each of the persons that were sat on that
23 committee were viewed as outstanding teachers
24 themselves. So in essence, you had a team of
25 outstanding teachers evaluating their own peers across

Roger Jenkins (8/7/17)

Page 14

1 the school and then making a determination about who
2 was the best of the best.

3 Q. Do you know whether or not they
4 considered student teaching evaluations in making their
5 awards?

6 A. I do not know.

7 Q. Now, you also mentioned international --
8 international teaching as one of the criteria that was
9 used, as I recall.

10 A. Uh-huh.

11 Q. Tell me a little bit about that. What
12 opportunities were there to teach internationally at
13 Miami?

14 A. We encouraged all of the faculty to spend
15 a semester or a summer abroad teaching and taking
16 students to study with, for -- for obvious reasons.
17 It's a global-global world.

18 Many of the professors -- and you would
19 apply. Professors would apply for this particular
20 opportunity. And if they were chosen, then they would
21 go.

22 And obviously, on those decisions as they
23 were made in terms of who were selected to go, the better
24 professors teaching-wise were the ones that were selected
25 to go.

Roger Jenkins (8/7/17)

Page 15

1 Q. Did you have some input on which
2 professors were chosen?

3 A. I had no input on that.

4 Q. Were you ever asked for advice on that?

5 A. No, I wasn't.

6 Q. Okay. Did you, yourself, have any
7 international teaching experience?

8 A. Yes.

9 Q. Tell me about that. What experience did
10 you have?

11 A. Well, I've lectured in China. I've
12 lectured in Germany, London. I've lectured in South
13 America, in Chile. So I've lectured a good bit
14 internationally.

15 Q. What do you normally lecture on?

16 A. Marketing strategy, business strategy.

17 Q. Of the locations that you've mentioned,
18 were there any that had international teaching
19 opportunities for Miami professors?

20 A. Most -- most of those, with the exception
21 of the one Chinese university, I would have done when I
22 was at the University of Tennessee in Knoxville or Wake
23 Forest, and not at Miami. Because at Miami, as dean, I
24 could not spend a semester or summer lecturing. I
25 would give some lectures when I went abroad to Asia,

Roger Jenkins (8/7/17)

Page 16

1 but I did not spend a summer or semester lecturing.

2 Q. You mentioned going abroad to Asia. Were
3 you going abroad to Asia then?

4 A. As dean for 13 years, I averaged one trip
5 to Asia a year. My philosophy was that China was a
6 very important country and that we needed to expose our
7 students and faculty to China, so I set up a huge
8 number of exchange relationships with a lot of Chinese
9 universities.

10 So I spent a semester -- I spent about a
11 month a year in Asia; in particular, China, Korea, and
12 Vietnam.

13 Q. All right. So in China, Korea, and
14 Vietnam, were there then exchange opportunities in
15 Korea, Vietnam, and China?

16 A. There have been, yes.

17 Q. All right.

18 A. Or there were, yes.

19 Q. What about the timeframe from 2010, '11,
20 '12, '13?

21 A. I have no recall of that with
22 specificity.

23 Q. Can you tell me what relationship
24 exchange opportunities that there were with China?

25 A. Well, we had -- we had several

Roger Jenkins (8/7/17)

Page 17

1 universities that wanted our professors, one of our
2 professors, to spend a semester there or a summer there
3 teaching, and then they would want to send one of their
4 professors back to Miami for a semester. That was a
5 typical exchange arrangement.

6 Q. I see. And when you say "teaching," does
7 that mean that a Miami professor was teaching Chinese
8 students in China?

9 A. Yes.

10 Q. And conversely, the Chinese professor
11 came back and talked to Americans that were --

12 A. Although, yeah, we had less success with
13 a Chinese professor coming back and teaching Americans
14 because the language was an issue.

15 Q. So most of the Chinese students spoke
16 English?

17 A. Yes.

18 Q. I understand. At least the ones that
19 were taking the classes from the American professors?

20 A. Yes.

21 Q. But you didn't have that many Chinese
22 professors that spoke English fluently?

23 A. Ask your question again.

24 Q. Well, I'm trying to understand why it
25 would be more difficult for the Chinese professors to

Roger Jenkins (8/7/17)

Page 18

1 teach in America.

2 A. The China professors, their English was
3 not as good as the students' English.

4 Q. Presumably because it's now taught at a
5 young age --

6 A. Yes.

7 Q. -- and it wasn't?

8 A. They didn't have it as a high school
9 four-year program like their students did.

10 Q. I understand.

11 So were you with any -- during the times
12 that you were in Asia, were you there when any of the
13 professors were teaching?

14 A. Yes.

15 Q. Can you remember, for example, whether or
16 not Professor Shrider was ever there while you were
17 there?

18 A. I cannot recall specifically. I can't
19 recall specifically.

20 Q. What about Professor Nixon?

21 A. I don't think -- I do not think I was
22 there when he was teaching.

23 Q. All right. Now, are you aware of any
24 female professors that were selected to go teach in
25 China?

Roger Jenkins (8/7/17)

Page 19

1 A. Female professors that were selected to
2 go teach in China? I can't recall.

3 Q. You can't recall any as you sit here; is
4 that right?

5 A. Yeah, I can't recall as I sit here.

6 Q. What about the other locations you
7 mentioned, Korea and Vietnam? Can you recall any
8 female professors from Miami that went -- that taught
9 at either of those locations?

10 A. I can't -- no, I can't recall any. I
11 know Terry -- we had a female professor, Terry, who
12 actually was in charge of the international programs
13 for a few years. I know that -- I remember that she
14 taught in several countries, and she may indeed have
15 been one that taught in China.

16 Q. What was her first name?

17 A. Terry was her first name.

18 MS. CORL: Her first name is Terry.

19 THE WITNESS: I can't remember her last
20 name.

21 BY MR. CROSKERY:

22 Q. Oh, Terry is the first name?

23 A. Yes. And she actually was in charge of
24 all international programs. She made the decisions of
25 which countries to go, which faculty to take. She --

Roger Jenkins (8/7/17)

Page 20

1 she would be the person you would want to find out
2 about who went where, and why.

3 Q. Who was your associate dean during the
4 last few years of your tenure at Miami University?

5 A. My senior associate?

6 Q. Right.

7 A. Well, I have two associate deans. The
8 senior associate dean for academic affairs, which was
9 the COO -- you know, my guy that ran the day to day at
10 the business school -- was Tim -- I forget Tim's last
11 name.

12 Q. Krehbiel?

13 A. Tim Krehbiel, yeah.

14 Q. And who was your junior associate dean?

15 A. Let's see. At that time, I can't recall
16 actually who the senior -- the junior guy was, or
17 junior person was.

18 Q. Was it Ray Gorman?

19 A. No, Ray was my senior associate dean
20 before Tim for, I don't know, eight years.

21 Q. Okay.

22 A. So Tim followed Ray.

23 Q. Can you recall when Tim came in?

24 A. No, I don't.

25 Q. Was it -- well --

Roger Jenkins (8/7/17)

Page 21

1 A. I don't remember at all the year.

2 Q. Was it close to the time that you left
3 Miami?

4 A. No. No, Tim had worked with me for --
5 for several years before I left.

6 Q. All right. So the one who had been
7 advising you in the 2010-'11-'12 timeframe would have
8 been Tim?

9 A. Would have been Tim.

10 Q. All right. Do you recall Ray Gorman
11 giving you any opinion about Kelly Brunarski's --
12 Professor Brunarski's quality as a faculty member?

13 A. No, I don't. Ray -- Ray was a finance
14 professor and certainly knew all the finance professors
15 extremely well.

16 Q. Doctor, did you have a legal dispute with
17 a female faculty member while you were a dean at Miami?

18 A. Yes, probably Christina -- a lady named
19 Christina, who was in charge of the entrepreneurship
20 program.

21 Q. Tell me about that. What happened?

22 A. Let's see if I can even recall what the
23 dispute was about.

24 I don't remember whether -- whether --
25 whether she was fired and the dispute was as a result

Roger Jenkins (8/7/17)

Page 22

1 of that, or whether -- I tend to recall that she was
2 fired for poor performance. I could be wrong, but
3 that's my memory.

4 Q. Do you remember how that dispute was
5 resolved?

6 A. I do not remember whether the university
7 wound up paying her something. I do not recall how the
8 dispute was resolved.

9 Q. So her first name was Christina. You
10 don't remember her last name; is that right?

11 A. Huh-uh, I don't.

12 Q. All right.

13 A. That was, you know, back in my early
14 tenure as dean.

15 Q. Now, you had indicated to me that each
16 department got a pool of money to start with that they
17 were to allocate to their professors for pay raises.

18 A. Uh-huh.

19 Q. Was there also another pool that was
20 given for super-merit raises?

21 A. Yes. From year to year it varied, based
22 on what the university money was and what it gave to
23 the school.

24 When money -- when we -- when we could,
25 when the business school could, we would save a pot of

Roger Jenkins (8/7/17)

Page 23

1 money in the dean's office for allocation to
2 superachievers, super-merit winners, that we didn't
3 want to lose as faculty.

4 We -- Miami was always -- we were rarely
5 at the market for any faculty. We just -- we, in
6 general, weren't paying at the market for the business
7 school. If we looked at -- and each year we would look
8 at the ACSB averages for rank for schools in our
9 grouping, we were always at the low end.

10 So, yeah, we had a -- we would try to
11 always have a pot of money in the dean's office that
12 the associate and I would sit down and say, "Okay, are
13 there faculty here where they're so below market and we
14 do not want to lose the super performance that we
15 should allocate some money to bring them closer to
16 market?" So, yes, there was that kind of decision.

17 Q. Okay. And what were the factors that
18 went into making the super-merit decisions? Were they
19 the same as the factors in the regular pool?

20 A. They were. The additional -- they were,
21 really, because department heads also knew what the
22 market was for their faculty, and so they also knew
23 which faculty they didn't want to lose. So in answer,
24 yes.

25 But the reason that we had some in the

Roger Jenkins (8/7/17)

Page 24

1 dean's office was and wanted to save that money
2 differently was each department would -- would advocate
3 that, you know, we have more faculty below market.
4 Each department would argue that.

5 Q. Of course.

6 A. We try at the dean's office to be a
7 leveler, to say, "Okay, given what we see across all
8 the faculty, across all the departments, clearly these
9 folks' performance and teaching and research and
10 scholarship are exceptional. We don't want to lose
11 these people, so let's make them closer to market."

12 Q. And Dr. Jenkins, I want to go back to the
13 beginning of the deposition when I had asked you what
14 the factors were that went into the regular pool
15 raises, and you mentioned one of them as being teaching
16 quality and effectiveness and the second as being
17 research that you mentioned as very important.

18 A. Uh-huh.

19 Q. Tell me about that. How was research
20 measured?

21 A. Number of publications, quality of
22 publications, impact of publications, where the
23 publications appeared, rankings of journals.
24 Academically, typical kinds of criteria for measuring
25 research and scholarship.

Roger Jenkins (8/7/17)

Page 25

1 Q. All right.

2 A. Nothing different.

3 Q. So you would look to whether or not a
4 publication was a top tier, a second tier, a third
5 tier?

6 A. Yes.

7 Q. Was there any particular form for
8 determining particular top tier, second tier, third
9 tier?

10 A. I'm not sure I understand your question.

11 Q. Well, I know because we just talked about
12 it that you have different tiers, levels of
13 publications.

14 A. Uh-huh.

15 Q. And the more prestigious the publication,
16 presumably the more the research counts?

17 A. Yes, right.

18 Q. I was just wondering how you determine
19 what is top tier, second tier, third tier.

20 A. Well, in each -- in each academic area
21 there are plenty -- plenty of data which in the finance
22 area the top journals are one, two, three, four, five
23 ranked. There's plenty of data for every department
24 that shows what the top journals are nationally.

25 Q. I see.

Roger Jenkins (8/7/17)

Page 26

1 A. And it even goes down to second-tier or
2 third-tier journals or proceedings, so each department
3 doesn't have to reinvent a paradigm for measuring
4 research and scholarship.

5 And it is to the -- each year, when the
6 faculty fills out their own review and talks about
7 their publications and so forth, it is their
8 responsibility to validate the quality of the research
9 and scholarship by citing just what I've described.

10 Even at the university level, when all the
11 deans make a promotion and tenure decision for any
12 faculty at the university, that faculty again has to
13 produce all the kinds of proof of "Here's why my
14 scholarship and here's why my research is outstanding."

15 Because a dean in architecture wouldn't
16 know anything about the finance faculty, so they would
17 depend upon the candidate, you know, measuring the
18 quality of their own research and scholarship.

19 MR. CROSKERY: Okay. Just because I've
20 got my clients on the phone and I need to talk to
21 them every now and again, let's take a short
22 break. I'm going to step outside for a second and
23 break this phone call down, talk to my clients.

24 We'll come back in and reconvene in a few
25 minutes.

Roger Jenkins (8/7/17)

Page 27

1 THE WITNESS: Okay.

2 MR. CROSKERY: I appreciate it.

3 (Recess at 8:40 a.m. to 8:43 a.m.)

4 BY MR. CROSKERY:

5 Q. I want to go back to the international
6 opportunities for just a minute. Is it fair to say
7 that one of the factors used in determining who got the
8 international opportunities was teaching evaluations?

9 A. I have no idea as to whether when those
10 decision were made, those selections were made, whether
11 teaching evaluations were used. I have no idea. I
12 would be surprised if they were. I do not know. I
13 would be very surprised if they were.

14 Because when you have a -- when you have
15 a tight business school like Miami, the faculty know
16 each other really well. And every faculty has deep
17 relationships with a large number of students, and so
18 that -- those faculty deep relationships provide
19 feedback to faculty about peers, how good they are or
20 aren't in the classroom and so forth.

21 So each faculty member themselves will
22 develop a database individually, based on what they
23 hear from students who have sat in Class A, Class B,
24 Class C; you know, who is good and who isn't good.

25 So I do not know if the committee and the

Roger Jenkins (8/7/17)

Page 28

1 director of international studies who makes those
2 selections, I don't know if they use teaching evaluations
3 or not. But I would be very surprised if they did
4 formally. I would be very surprised.

5 Q. Well, it's interesting that you said
6 "formally." Because it seems to me if what you said is
7 true, that they're developing their own database based
8 on students that have sat in on other professors'
9 classes and perhaps shared information, isn't it fair
10 to say that if the students are sharing information
11 with them on an informal basis on other professors that
12 that same information is likely to be reflected in
13 teaching evaluations?

14 A. I don't understand your question.

15 Q. Well, you just told me that you believe
16 there was sort of an informal database that's being
17 developed. One faculty member would say he's got
18 students that have been in several other professors'
19 classes, and those students would share with them their
20 opinions of what the other professors were.

21 A. Uh-huh.

22 Q. Now, it seems to me that if students were
23 sharing with Faculty Member A their opinions about
24 Faculty Member B, isn't it likely those opinions that
25 they are sharing with Faculty Member A about Faculty

Roger Jenkins (8/7/17)

Page 29

1 Member B are going to be reflected in the teaching
2 evaluations they give Faculty Member B?

3 MS. CORL: Objection, calls for
4 speculation.

5 THE WITNESS: I was going to say, that's
6 pure speculation. You're asking me does it seem
7 likely? I don't know.

8 I was at Wake Forest for five years
9 before I came to Miami. Wake Forest and Miami are
10 very similar in that teaching quality is at the
11 heart of the ethos of what they're all about.

12 In the business school at Wake Forest,
13 every faculty member knew who the good teachers
14 were and the bad teachers were. Every faculty
15 knew that, because they had very close
16 relationships with the students and those students
17 would share that feedback. And the same at Miami.

18 BY MR. CROSKERY:

19 Q. Let's do it this way. There's an
20 informal method for sharing feedback, which is just
21 talking maybe in after-class environments, getting
22 together at social hour and that type of thing.

23 A. Uh-huh.

24 Q. There's also a more formal mechanism,
25 which is the teaching evaluation.

Roger Jenkins (8/7/17)

Page 30

1 A. Correct.

2 Q. So can you tell me why in the world a
3 faculty member would be relying upon informal sharing
4 at social gatherings and so forth about other
5 professors rather than relying on a tool that's made
6 available by Miami for that purpose, the student
7 teacher evaluation?

8 A. I suspect that each faculty -- I suspect
9 both were used.

10 Q. All right.

11 A. I suspect both were used.

12 Teaching evaluations were a formal
13 mechanism. Another powerful one, if not more powerful,
14 is simply the feedback from students themselves
15 directly based on faculty relationships.

16 Q. Well, let me ask you this, professor.
17 You've been through it sounds like decades of teaching
18 experience.

19 A. Uh-huh.

20 Q. And in various schools, Tennessee and
21 Wake Forest and Miami University, although maybe not as
22 much teaching at Miami.

23 A. No, I didn't teach at Miami.

24 Q. But during the times that you were doing
25 teaching, was it your experience that the informal

Roger Jenkins (8/7/17)

Page 31

1 sharing that you got from students tended to match up
2 fairly well with what the student teaching evaluations
3 were?

4 A. Good question. Let me just reflect on
5 that a second.

6 At the University of Tennessee, in the
7 first five years I was there I won every teaching award
8 the university offered, so I consider myself a very
9 effective teacher. I won the award at the business
10 school the first two years and then the third year I
11 won the university-wide one, which was the first year I
12 was eligible. So I do consider myself an effective
13 teacher and so forth.

14 Ask the same question again. Let me see if
15 I understand -- I understand what you mean.

16 Q. Well, I'm just asking you from your
17 experience, whether or not the formal teaching
18 evaluation, student teaching evaluations which I
19 understand are fairly universal in colleges and
20 universities, matched up with this informal database
21 that you were talking about a few minutes ago.

22 A. I think yes. I think the answer is
23 "Yes."

24 Q. So whether you were relying upon your
25 informal database or whether you were relying upon the

Roger Jenkins (8/7/17)

Page 32

1 student teaching evaluations probably wouldn't make
2 very much difference, correct?

3 MS. CORL: Objection, calls for
4 speculation.

5 BY MR. CROSKERY:

6 Q. Well, I don't want you to speculate. I'm
7 just asking you, based on your experience.

8 A. I don't know.

9 Q. All right. Let me ask you this. Did
10 shadowing in international assignments carry the same
11 weight as actually teaching in international
12 assignments?

13 A. No. No, that was a learning process from
14 which, after that, supposedly you could own the class
15 and own the responsibility for having those students
16 there for that time period.

17 Q. So the data we were talking about
18 earlier, it involved what we would call market
19 adjustment rate. I think you were telling me that
20 Miami University traditionally had faculty paid at the
21 lower end --

22 A. In the business school, yes.

23 Q. -- of comparable universities?

24 A. Yes, yes.

25 Q. Now, first of all, in the timeframe that

Roger Jenkins (8/7/17)

Page 33

1 you were there -- and let's focus on the last few
2 years, because that's what this lawsuit is about --
3 where was Miami's business school ranked nationally?

4 A. Top 25.

5 Q. Top 25?

6 A. Uh-huh.

7 Q. So the other business schools that you
8 were measured against were --

9 A. Top 25.

10 Q. -- Top 25 schools? All right.

11 And if I understand your statement
12 correctly, is that weighted for the cost of living?

13 A. No.

14 Q. All right, So just making a straight
15 comparison. But the cost of living was --

16 A. We subjectively, based on what we knew,
17 would weight that as we evaluate it. So we didn't --
18 we didn't go -- we didn't say if a school, if No. 3 was
19 in Philadelphia, that we look at that the same as
20 Oxford, Ohio. No, we didn't do that. We would
21 subjectively back that out.

22 Q. Presumably, the cost of living is
23 significantly less --

24 A. Yes.

25 Q. -- around Oxford, Ohio, than it is in New

Roger Jenkins (8/7/17)

Page 34

1 York?

2 A. Yes, but not much difference, perhaps,
3 than it is at William and Mary, for example.

4 Q. All right. I understand.

5 Now, do you remember specifically the large
6 raises that were given to professors Nixon and Shrider in
7 the 2012-13 timeframe?

8 A. No, I have no recall of any raises to any
9 faculty in that timeframe.

10 Q. Did you generally go along with the
11 recommendations that were made to you by your associate
12 deans?

13 A. In general, yes.

14 Q. How frequently would you overrule?

15 A. Rarely. Rarely.

16 Q. Once every ten years, once a year, once
17 every --

18 A. Once every four years.

19 Q. Once every four years?

20 A. I'm a -- I was a leader who believed in
21 delegating and delegating fully, and asking questions
22 to make sure they followed the process correctly and
23 made good decisions. I wasn't second-guessing
24 decisions, I was trying to make sure they felt good
25 about their decisions.

Roger Jenkins (8/7/17)

Page 35

1 Q. Now, were you personally familiar with
2 Professor Kelly Brunarski as a teacher?

3 A. No, I wasn't.

4 Q. Were you personally familiar with
5 Professor Yvette Simpson as a teacher?

6 A. No, I wasn't. I never sat in their
7 classrooms and I was not familiar with them as
8 teachers.

9 MS. CORL: For purposes of the record,
10 counsel said "Simpson," but it's Harman.

11 MR. CROSKERY: I meant Harman. I was
12 thinking of Betty Simpson because she was running
13 for city council, and she was on the news this
14 morning.

15 BY MR. CROSKERY:

16 Q. Harman. Were you familiar with Yvette
17 Harman?

18 A. No.

19 Q. It shows I shouldn't be reading while I'm
20 talking.

21 Well, I guess this next question, I have to
22 give you a little background information. I want you to
23 assume for a moment, because it's factual, that Professor
24 David Shrider and Professor Terry Nixon each received
25 double-digit raises of approximately 16 percent in 2012.

Roger Jenkins (8/7/17)

Page 36

1 Now, as I understand it, normally raises
2 above a certain magnitude have to get higher-level
3 approval. Do you recall having any input on approving
4 larger raises for Professor Shrider and Professor Nixon?

5 A. I have no recall of giving any special
6 approval.

7 Q. Can you tell me what type of reasoning
8 there would be for such an approval, assuming that you
9 gave it?

10 MS. CORL: Objection, calls for
11 speculation. The witness can answer if he
12 remembers.

13 THE WITNESS: Ask the question again.
14 BY MR. CROSKERY:

15 Q. I just want to know what would, in your
16 background and experience, justify giving a raise of
17 that magnitude.

18 A. Exceptional performance.

19 Q. Based on the same things we talked about?

20 A. Exceptional performance. Marketability,
21 didn't want to lose the faculty. Identical. And I
22 would be surprised, interested to see, I have no idea;
23 but in that same year if we had monies like that,
24 double digit, I would expect you'd see a similar
25 percentage perhaps at other places as well, unless

Roger Jenkins (8/7/17)

Page 37

1 finance was just that low. Finance was always low, and
2 it could have been -- it could have been that low, but
3 I'd be a bit surprised if you didn't see some -- a
4 larger performance -- larger performance raises
5 elsewhere, too.

6 Q. Were large performance raises of that
7 magnitude something that had to be approved by the
8 provost's office?

9 A. I don't -- I don't recall. I really
10 don't recall. I don't recall. It would surprise me if
11 they would be, I guess, but I don't remember.

12 Q. Normally speaking, if you have a large
13 raise of that magnitude, a double-digit raise, is there
14 normally a written justification that's provided for
15 it?

16 A. I -- I don't recall. I would expect that
17 it'd be the same justification for giving any raise.
18 Every raise that was given had to have a justification.

19 Q. All right.

20 A. There didn't have to be a
21 super-justification for a super-raise.

22 Q. All right. So if I understand the
23 process correctly, you're saying that when you're
24 making faculty salary decisions that every single one
25 of them had some sort of written statement that was

Roger Jenkins (8/7/17)

Page 38

1 given to you by whom?

2 A. By the senior associate dean.

3 Q. So the senior associate dean wrote it
4 out?

5 A. He would have a paper which would have
6 faculty, which would have data, which would have the
7 case for his decision, for his logic.

8 Q. So then did you and he have a meeting in
9 which he laid out --

10 A. Absolutely.

11 Q. All right. And he was reading from
12 summaries?

13 A. He was showing me his summaries.

14 Q. All right. He was showing you written
15 summaries?

16 A. Yes.

17 Q. And those written summaries would have on
18 them things like teaching awards, whether or not
19 they've taught internationally, what their student
20 teaching effectiveness is based on evaluations and
21 based on this informal database, and then what else?

22 A. Research and scholarship.

23 Q. All right. And research and scholarship?

24 A. Uh-huh.

25 Q. Based on what tier they had been in and

Roger Jenkins (8/7/17)

Page 39

1 so forth?

2 A. This person had a hit in the Journal of
3 Economics, and Miami's had one of those in the last 20
4 years. That's a pretty important piece of data.

5 Q. The Journal of Economics?

6 A. I'm making that up.

7 Q. Okay. Yeah.

8 All right. Now, was there any policy of
9 basing salary increases on a faculty member's willingness
10 to teach during summer and/or January terms?

11 A. Zero, to my knowledge. The summers were
12 theirs, belonged to the faculty for research and
13 scholarship time. Encouragement was given to them to
14 keep that time and use it that way, not to teach.

15 Q. Were there factors that you wanted to use
16 in making raises, both ordinary raises and super-merit
17 raises, that we have not yet discussed?

18 A. No, not to my knowledge.

19 Q. Were you familiar with the Finance
20 Department chair, Steve Wyatt?

21 A. Yes.

22 Q. Did his recommendations play a role --

23 A. Yes.

24 Q. -- in determining --

25 A. Yes.

Roger Jenkins (8/7/17)

Page 40

1 Q. And let me finish my whole question, just
2 so it's clear on the record.

3 A. Okay.

4 Q. Did his recommendations play a role in
5 making the salary decisions?

6 A. Yes.

7 Q. A large role?

8 A. As -- as important as would any
9 department head.

10 Q. And how important is that, exactly?

11 A. Very important.

12 Q. So 90 percent of the decision, 85?

13 A. I'd say it's close to 90, 95.

14 Q. So we didn't go through that step yet.

15 Ray Gorman or Tim Krehbiel in this timeframe sits down
16 with you and says, "Here is the written data that
17 justifies why I want to give this particular raise to
18 this particular professor."

19 Was there also a component in there for
20 the recommendations of the Finance Department chairman?

21 A. Yes, that would be an important part of
22 Tim's -- what he brought to the table.

23 Q. All right. And what format was that in?
24 Would that be something that was also written down --

25 A. No.

Roger Jenkins (8/7/17)

Page 41

1 Q. -- or that would be him telling you, "The
2 Finance Department chair recommended the raise?"

3 A. Yes. And I would be surprised -- I don't
4 recall. I would be surprised if that wasn't also
5 written down. I don't recall, but I would be very
6 surprised if it also wasn't specifically written down.

7 Because the department head's
8 recommendation, since they are the closest to the
9 faculty and closest to knowing, their weight was
10 always, always -- you know, you just didn't go against
11 them unless there's really evidence of wrongdoing.

12 Q. All right. I'm going to represent to you
13 that Dr. Krehbiel has given an affidavit and also given
14 some deposition testimony, and in that deposition and
15 affidavit testimony that he represented that Steve
16 Wyatt -- department chair Steve Wyatt had recommended
17 the market adjustment raises be awarded to, among
18 others, faculty members Yvette Harman, Kelly Brunarski,
19 Terry Nixon, and David Shrider. Okay?

20 Now, you've already said that you don't
21 have particular recall of those things. But assuming
22 for a moment that the department chair had made those
23 recommendations, do you recall Tim Krehbiel singling
24 out professors Nixon and Shrider and saying they should
25 be given larger raises?

Roger Jenkins (8/7/17)

Page 42

1 A. I do not have any such recall.

2 Q. And assuming that Dr. Krehbiel does not
3 remember how you and he came to the final dollar
4 amounts, it's fair to say you don't remember either?

5 A. I do not.

6 Q. Okay. But was it your final decision on
7 the recommended amounts?

8 A. It always is. The dean always has
9 responsibility for the final decision.

10 Q. All right.

11 A. And so whatever the final decision was, I
12 was comfortable.

13 Q. One thing that you had mentioned as part
14 of determining faculty salary increases that we haven't
15 talked about yet is other things like community
16 involvement. Can you give me an example of some of the
17 things that would factor in that we haven't discussed
18 yet?

19 A. That miscellaneous category may be, for a
20 faculty member, 5 percent of 100, maybe 0 percent,
21 maybe 10 percent.

22 One example, each summer we -- Miami had
23 a program where its entering freshmen would come for
24 orientation for two or three days, and that required
25 faculty presentations as part of the orientation.

Roger Jenkins (8/7/17)

Page 43

1 So if faculty members spent an unusual
2 amount of hours prepping for that and fulfilling that
3 responsibility that may have been counted partially, you
4 know, something 1 percent, 2 percent of that final
5 evaluation.

6 If they were similarly good citizens in
7 that they chaired for three years in a row one of the
8 more important standing committees in the business
9 school, that would be one example of where service to the
10 business school, service to the institution.

11 If a faculty member was president of a
12 national or international professional organization for
13 three years, that'd be one evidence of service to the
14 profession that may have been counted a slight bit.

15 So that other -- you know, that other 5
16 percent, 3 percent, 7 percent would be unusual service
17 beyond the call of duty in the business school or at the
18 university or in their professional organizations.

19 Q. Would obtaining a \$100,000 grant or study
20 for the Department of Homeland Security, for example,
21 be something that could be in that category?

22 A. That could be something that would be in
23 that category, yes.

24 Q. And is it fair to say that that
25 particular category is something that the professor

Roger Jenkins (8/7/17)

Page 44

1 himself or herself gives some input on to their dean --
2 let me back up, because I'm not asking this question
3 very well.

4 How do you know about this other service
5 category?

6 A. Each year, every professor completes a
7 very lengthy activities sheet which shows everything
8 from teaching -- from the courses they taught, the
9 number of students in each course; every committee
10 they've served on within the business school, within
11 the university; every activity they're engaged in in
12 terms of scholarship and research; any grant activity.

13 Any activity at all, the faculty
14 self-reports that, and it goes to the department head
15 to be considered as part of their package, their
16 evaluation for performance.

17 Q. So one of the purposes of the activities
18 sheet is indeed to help determine salary?

19 A. Is to help determine the performance and
20 the activities of the professor, yes.

21 Q. Which is then used to help determine
22 salary?

23 A. Ultimately, yes.

24 Q. All right. Do you recall making a
25 decision in the 2012 timeframe to want to aggressively

Roger Jenkins (8/7/17)

Page 45

1 use super-merit money to differentiate faculty members
2 who in the past several years had met teaching and
3 research excellence criteria?

4 A. Ask your question again.

5 Q. Do you recall in the 2011 to 2012
6 academic year that you received -- at the end of it
7 received a pool of super-merit money and that you made
8 a decision that you wanted to aggressively use that
9 super-merit money to differentiate those faculty
10 members who in the past several years demonstrated that
11 they met the criteria of teaching excellence,
12 recognition awards, and exceptional performance and
13 research during the past several years?

14 A. I recall that any year -- not that year
15 in particular, but any year in which we had extra merit
16 money it was always used in the same manner; to make
17 sure that we kept our very best faculty and they not
18 leave, by keeping them as close to the market as we
19 could. That was always the criteria.

20 Q. Do you know whether or not any other
21 schools in the 2012 timeframe were reaching out to
22 obtain Professor Nixon?

23 A. I have no idea.

24 Q. Whether any other schools were reaching
25 out to obtain Professor Shrider?

Roger Jenkins (8/7/17)

Page 46

1 A. I have no idea. My philosophy always was
2 not to wait until a faculty came to me with an offer.
3 I didn't look at that favorably. My philosophy was
4 always to try to make sure our best faculty were paid
5 and appreciated, and they were told so, so they didn't
6 need to look elsewhere.

7 Q. I need to go into kind of a sensitive
8 subject, which it may be for you, and I'll try to
9 confine my questions to what's relevant to this. I
10 want to talk a little bit about the Petters situation.
11 Particularly, I'm interested in whether or not any of
12 the trips that you made to China where you had a chance
13 to see some Miami University professors teaching also
14 involved efforts to sell Polaroid.

15 A. No.

16 Q. So those were separate trips?

17 A. Absolutely.

18 Q. What about the relationships that were
19 developed? Were there any relationships that you had
20 developed while you were in China working on your
21 university and college connections that were also used
22 in your Petters relationship?

23 A. No.

24 Q. So you were going to different places and
25 talking to different people?

Roger Jenkins (8/7/17)

Page 47

1 A. I didn't make trips to China for Polaroid
2 business.

3 Q. Then how were you selling it?

4 A. I was never selling Polaroid.

5 Q. What were you selling?

6 A. I wasn't selling anything. I served as a
7 consultant to the Petters organization.

8 Q. All right. When you were serving as a
9 consultant, did you develop any relationships with
10 individuals in China?

11 A. No.

12 Q. Did the Petters situation play a role in
13 your leaving Miami University?

14 A. Yes.

15 Q. Tell me about that. What was the
16 situation?

17 MS. CORL: I'm going to object to the
18 relevance of all of these questions. Totally
19 irrelevant.

20 THE WITNESS: You know, I was past
21 retirement age. And when the Petters situation
22 evolved, my decision was to simply retire probably
23 earlier than I would have liked to have, or I
24 would have, to save the university and myself a
25 lot of public scrutiny.

Roger Jenkins (8/7/17)

Page 48

1 But I also want to add to this I have
2 never been accused of doing anything wrong in the
3 Petters situation, and I have never done anything
4 wrong legally, morally, or any other way.

5 But I regret actually retiring early. I
6 can say that. I regret it. I wish I'd stayed.
7 If I'd stayed I could not have been let go, number
8 one, because I had done nothing wrong.

9 Number two is, I would have taken the
10 Petters organization to court -- I mean, I would
11 have taken the collecting, whatever you call that,
12 those guys that were trying to get back my
13 consulting money. I would have taken them to
14 court and not paid back what I wound up doing.

15 So I made a bad decision, I think, in
16 retiring early, because at the end of the day it
17 left -- it left impressions that I had done
18 something wrong, and I did not.

19 I have never done anything wrong, either
20 legally or morally. And the Petters case is
21 simply one of those in which there was a -- there
22 was a feeling obviously that that was the case,
23 but it was never the case.

24 BY MR. CROSKERY:

25 Q. All right. So you resigned to spare the

Roger Jenkins (8/7/17)

Page 49

1 university?

2 A. No, I retired.

3 Q. Retired.

4 A. Big difference.

5 Q. You retired?

6 A. Big difference.

7 Q. You retired early to spare the university
8 any embarrassment associated with the taint of the
9 Petters situation?

10 A. That's right. I had worked for 13 years
11 and built a magnificent business school and taken it to
12 a Top-25 ranking. And I was willing to self-sacrifice
13 the embarrassment to have the school retain the shine
14 it always had. That was a decision of self-sacrifice,
15 not a decision of having done anything wrong.

16 Q. Commendable. But when you first came to
17 Miami University where was it ranked, the business
18 school?

19 A. 52, 53.

20 Q. So you raised it essentially from a --

21 A. My team and I went from a 50 to a Top 25.
22 Rarely happens. That's what drew me to Miami, was that
23 opportunity, from Wake Forest. I never, ever thought I
24 would leave Wake Forest, because it was the best school
25 I'd ever been to and I was happy there. But the

Roger Jenkins (8/7/17)

Page 50

1 opportunity to take a school and build it and build a
2 brand-new school, those opportunities don't come around
3 very often for leaders.

4 MR. CROSKERY: You have an outstanding
5 debate team, too.

6 THE WITNESS: Yes. Are you a Miami
7 graduate?

8 MR. CROSKERY: No, Wake Forest.

9 THE WITNESS: Oh, Wake Forest?

10 MR. CROSKERY: I spent a year there
11 before I went to the military academy.

12 THE WITNESS: It's a great school.

13 MR. CROSKERY: Let's take another short
14 break while I speak to my clients briefly. I
15 apologize for having to do it. Actually, let's
16 make it a little bit longer, in case anybody needs
17 to freshen up or something.

18 Ms. CORL: Let's not, if we could. I
19 have a long drive ahead of me.

20 MR. CROSKERY: Well, so do I. The same
21 long drive as you, probably.

22 MS. CORL: Okay. I doubt it. I'm going
23 to Cincinnati.

24 THE WITNESS: What time is it now?

25 MR. CROSKERY: It's about 9:10. Let's

Roger Jenkins (8/7/17)

Page 51

1 reconvene in about 10 minutes.

2 (Recess at 9:14 a.m. 9:20 a.m.)

3 BY MR. CROSKERY:

4 Q. Let's go back on the record. I've gone
5 through most of the things I wanted to go through, but
6 I wanted to go back and pick up one thing.

7 You mentioned that some -- some
8 consideration was given to faculty that would do things
9 like orientation and give some extra time to the
10 university. First of all, were the faculty notified
11 that this was something that would be used?

12 A. Service, yes. Faculty knew that the
13 service category was always there and was used, yes.

14 Q. So this is -- how were they notified? Is
15 that that initial letter that goes out when somebody is
16 newly hired?

17 A. I don't know. I'm not sure how they were
18 notified, but the recognition and the awareness and the
19 Ten Commandments were there.

20 Q. Let's go back to teaching orientation, in
21 particular. How were the faculty selected for that?

22 A. The assistant dean, Marti Kyger, made
23 those selections.

24 Q. Do you know what the assistant dean used
25 to make those selections?

Roger Jenkins (8/7/17)

Page 52

1 A. I would suspect that she chose the best
2 teachers. I would suspect that's what she did.

3 Q. That makes sense.

4 A. Yes.

5 Q. All right. And is your reason for
6 suspecting that based on your knowledge and experience?

7 A. Based on who she had each year doing
8 that.

9 MR. CROSKERY: All right. I appreciate
10 it. I don't have any further questions.

11 MS. CORL: Thank you. He'll read.

12 (Proceedings concluded at 9:22 a.m.)

13 FURTHER THIS DEPONENT SAITH NOT.

14

15

16

17

ROGER JENKINS

18

19

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

20

21

22

23

24

25

C E R T I F I C A T E

STATE OF TENNESSEE

COUNTY OF KNOX

I, Rhonda S. Sansom, RPR, CRR, CRC, Licensed Court Reporter, do hereby certify that I reported in machine shorthand the deposition of ROGER JENKINS, called as a witness at the instance of the Plaintiffs; that the said witness was duly sworn by me; that the reading and subscribing of the deposition by the witness was not waived; that the foregoing pages were transcribed under my personal supervision and constitute a true and accurate record of the deposition of said witness.

I further certify that I am not an attorney or counsel of any of the parties, nor an employee or relative of any attorney or counsel connected with the action, nor financially interested in the action.

Witness my signature this the 7th day of August, 2017.



Rhonda S. Sansom, RPR, CRR, CRC
Tennessee LCR# 0685
Expiration Date: 6/30/18

rhondasansom@gibsonreporters.com

2017.08.25 14:22:26

Signer:

E=rhondasansom@gibsonreporters.com

Illinois Licensed Certified
Shorthand Reporter
No. 084.004823
Expiration Date: 5/31/19

Gibson Court Reporting

Roger Jenkins (8/7/17)

Page 54

1 DEPOSITION ERRATA SHEET

2

3 Page No.____ Line No.____ Change to:_____

4 Reason for change: _____

5 Page No.____ Line No.____ Change to:_____

6 Reason for change: _____

7 Page No.____ Line No.____ Change to:_____

8 Reason for change: _____

9 Page No.____ Line No.____ Change to:_____

10 Reason for change: _____

11 Page No.____ Line No.____ Change to:_____

12 Reason for change: _____

13 Page No.____ Line No.____ Change to:_____

14 Reason for change: _____

15 Page No.____ Line No.____ Change to:_____

16 Reason for change: _____

17 Page No.____ Line No.____ Change to:_____

18 Reason for change: _____

19 Page No.____ Line No.____ Change to:_____

20 Reason for change: _____

21 Page No.____ Line No.____ Change to:_____

22 Reason for change: _____

23

24 SIGNATURE:_____ Date: _____

25 PRINT WITNESS NAME:_____

Roger Jenkins (8/7/17)

Page 55

1 DEPOSITION ERRATA SHEET

2

3 Page No.____ Line No.____ Change to:_____

4 Reason for change: _____

5 Page No.____ Line No.____ Change to:_____

6 Reason for change: _____

7 Page No.____ Line No.____ Change to:_____

8 Reason for change: _____

9 Page No.____ Line No.____ Change to:_____

10 Reason for change: _____

11 Page No.____ Line No.____ Change to:_____

12 Reason for change: _____

13 Page No.____ Line No.____ Change to:_____

14 Reason for change: _____

15 Page No.____ Line No.____ Change to:_____

16 Reason for change: _____

17 Page No.____ Line No.____ Change to:_____

18 Reason for change: _____

19 Page No.____ Line No.____ Change to:_____

20 Reason for change: _____

21 Page No.____ Line No.____ Change to:_____

22 Reason for change: _____

23

24 SIGNATURE:_____ Date: _____

25 PRINT WITNESS NAME:_____